



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

3:25 P.M.

TUESDAY, February 3, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Milroy in the chair.

The Assembly dispensed with the call of the roll.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 08–060

Relating to wholesale fish dealing and commercial fishing in outlying waters and affecting small business.

Submitted by Department of Natural Resources.

Report received from Agency, January 16, 2009.

To committee on **Natural Resources**.

Referred on February 2, 2009.

Assembly Clearinghouse Rule 08–106

Relating to fees.

Submitted by Department of Military Affairs.

Report received from Agency, January 16, 2009.

To committee on **State Affairs and Homeland Security**.

Referred on February 2, 2009.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 5

Relating to: the life and public service of Jerome J. Kleczka.

By Representatives Sinicki, Richards and Zepnick; cosponsored by Senator Plale.

To committee on **Rules**.

Assembly Bill 14

Relating to: the regulation of traveling sales crews, requiring the exercise of rule-making authority, and providing penalties.

By Representatives Pope–Roberts, Sheridan, Berceau, Sinicki, Van Akkeren, Pocan, Vruwink, Pasch, A. Ott, A. Williams, Dexter and Gunderson; cosponsored by Senators

Erpenbach, Robson, Hansen, Kanavas, Lassa, Risser, Coggs and Lehman.

To committee on **Jobs, the Economy and Small Business**.

Assembly Bill 15

Relating to: health insurance coverage of treatment for autism spectrum disorders.

By Representatives Hixson, Dexter, Clark, Zigmunt, Kaufert, Bernard Schaber, Roys, Radcliffe, Milroy, Pasch, Danou, Sinicki, Hilgenberg, Cullen, Hebl, Nelson, Sheridan, Seidel, Pocan, Parisi, Richards, Steinbrink, Shilling, Hraychuck, Vruwink, Jorgensen, Pope–Roberts, Zepnick, Hubler, Grigsby, Bies, Wood, Fields, Turner, A. Ott, Soletski, Hintz, Smith, Mason, A. Williams, Spanbauer, Berceau, Benedict, Krusick, Young, Van Akkeren, Sherman, Schneider, Black and Molepske Jr.; cosponsored by Senators Robson, Sullivan, Plale, Miller, Taylor, Hansen, Wirsch, Risser, Lehman, Erpenbach, Kreitlow, Jauch, Carpenter, Lassa and Decker.

To committee on **Insurance**.

Assembly Bill 16

Relating to: requiring health insurance coverage of hearing aids and cochlear implants for persons under 18 years of age.

By Representatives Cullen, Bernard Schaber, Schneider, Sheridan, Berceau, Hilgenberg, Hraychuck, Vruwink, Mason, Black, Pasch, Sherman, Pocan, Jorgensen, Sinicki, Stone, Krusick, Smith, Seidel, Montgomery, Parisi, Turner, Grigsby, Richards, Zigmunt, A. Williams, Soletski, Hixson and Dexter; cosponsored by Senators Lassa, Hansen, Lehman, Risser, Taylor, Erpenbach, Vinehout, Darling, S. Fitzgerald, Coggs and Kapanke.

To committee on **Insurance**.

Assembly Bill 17

Relating to: requiring ignition interlock devices for certain motor vehicle violations, granting rule-making authority, making an appropriation, and providing a penalty.

By Representatives Staskunas, Kaufert, Smith, Jorgensen, Sherman, Ziegelbauer, Davis, Hebl, Berceau, A. Ott, Cullen, Townsend, Roth, Spanbauer, Richards, Shilling, Soletski, Barca, Gunderson and Turner; cosponsored by Senators Plale, Leibham, Lehman, Carpenter, Darling, Harsdorf, A. Lasee and Schultz.

To committee on **Public Safety**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Natural Resources
Madison

December 29, 2008

To the Honorable, the Legislature:

As required by s. 292.25, Wis. Stats., the Department of Natural Resources is pleased to submit the attached report regarding the status of the Voluntary Party Liability Exemption (VPLE) environmental cleanup process. As required by law, this report is being submitted to the Governor, the Department of Administration, and the Legislature.

If you have any questions regarding this report, please contact Darsi Foss from my staff at (608) 267-6713.

Sincerely,
MATTHEW J. FRANK
Secretary

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Administration
Madison

January 30, 2009

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002 (11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172 (3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of December 2008.

On December 1, 2008, the General Fund cash balance closed at a negative \$36.2 million. This negative balance continued through December 16, 2008, when the fund’s cash balance closed at a positive \$218.5 million. The General Fund cash balance reached its intra-month low of a negative \$238.9 million on December 11, 2008. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 1, 2008, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$123.7 million. This negative balance continued through December 31, 2008, when the fund’s cash balance closed at a negative \$103.2 million. The Injured Patients and Families Compensation Fund cash balance reached its intra-month low of a negative \$123.8 million on December 3, 2008. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust Fund per 2007 Wisconsin Act 20, and the pending liquidation of fund securities necessary to offset this shortfall.

On December 1, 2008, the Worker’s Compensation Fund cash balance closed at a negative \$2.6 million. This negative balance continued through December 29, 2008, when the fund’s cash balance closed at a positive \$395 thousand. The Workers Compensation Fund cash balance reached its intra-month low of a negative \$3.5 million on December 2, 2008. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 1, 2008, the Utility Public Benefits Fund cash balance closed at a negative \$4.1 million (its intra-month low). This negative balance continued through December 31, 2008, when the fund’s cash balance closed at a negative \$3.9 million. The negative balance was due to a delayed transfer to the fund.

On December 18, 2008, the Conservation Fund cash balance closed at a negative \$359 thousand. This negative balance continued through December 31, 2008, when the fund’s cash balance closed at a negative \$12.4 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

On December 18, 2008, the Dry Cleaner Environmental Response Fund cash balance closed at a negative \$15 thousand (its intra-month low). This negative balance continued through December 31, 2008, when the fund’s cash balance closed at a negative \$14 thousand. The negative balance was due to timing of revenues and expenditures.

The General Fund, Injured Patients and Families Compensation Fund, Workers Compensation Fund, Utility Public Benefits Fund, Conservation Fund, and Dry Cleaner Environmental Response Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Ways and Means**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

January 15, 2009

To the Honorable, the Assembly:

This biennial report, which is required under s. 13.94 (1)(j), Wis. Stats., summarizes the Legislative Audit Bureau’s statutory responsibilities and highlights significant

accomplishments from January 1, 2007, through December 31, 2008.

During that biennium, we produced more than 50 independent audits, evaluations, reviews, opinions, and certifications. Our work helps to assure the Legislature and the public that financial transactions and management decisions are made effectively, efficiently, and in compliance with the law and that the policies and practices of state agencies are consistent with legislative intent. Our reports frequently include recommendations that improve government programs and services, maximize federal reimbursements, and ensure public funds are wisely spent and appropriately accounted for.

We are proud to deliver accurate and useful information that enhances accountability and assists the Legislature in its oversight of executive branch agencies. We look forward to

serving the Legislature, the Governor, and the people of Wisconsin in the coming years.

Respectfully submitted,
JANICE MUELLER
State Auditor

ADJOURNMENT

Representative Nelson moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, February 5.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:26 P.M.